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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,084	07/08/2003	Sehat Sutardja	MP0005REC2	8314

26703 7590 02/26/2007
HARNESS, DICKEY & PIERCE P.L.C.
5445 CORPORATE DRIVE
SUITE 200
TROY, MI 48098

EXAMINER

WELLS, KENNETH B

ART UNIT	PAPER NUMBER
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2816

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/614,084

Applicant(s)

SUTARDJA ET AL.

Examiner

Kenneth B. Wells

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 47-114 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 47-114 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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1. The request for reconsideration filed on 2/6/07 has been received and entered in the case. In view of the arguments presented therein, the previous rejections are now withdrawn. However, new rejections are set forth in view of newly discovered prior art. Any inconvenience caused by the delay inciting this new prior art is regretted.

2. Claims 50, 51, 59, 64, 96 and 104 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Each of the claims reciting that the pairs of transistors comprise a pair of common terminals "coupled to the control signal" is vague and indefinite because it cannot be determined which signal is being referred to by the recitation of the "control signal". The specification describes the signal 33 as a control input, but it does not appear that this is the signal applicant is referring to in the claims. If applicant means the signal used for controlling the current source 45, then this signal needs to be illustrated in the drawings better.

Moreover, the claims need to be amended so as to not recite that the common terminals of FETs 35, 37 are "coupled to the control signal" because this is not supported by the specification or

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drawing figures.

Also, the claims reciting that each pair of transistors "includes gates coupled in parallel" is similarly incorrect, and thus misdescriptive and indefinite, because the gates of FETs 35 and 37 are clearly not "in parallel", as presently recited in the claims.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 47-114 are rejected under 35 U.S.C. 102(b) as being anticipated by Hisatu.

Note Fig. 1 which shows plural differential amplifier cells DA-1, DA-2 with common input and output terminals, and also separately controllable enable/disable inputs applied to the respective amplifier cells (i.e., output from source 1).

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4. Claims 47-114 are rejected under 35 U.S.C. 102(b) as being anticipated by Altmann et al.

Note Fig. 5A which shows three respective differential amplifier cells with common input and output terminals, and also separately controllable enable/disable inputs applied to the respective amplifier cells (i.e., control inputs P0 and P1).

5. Claims 47-114 are rejected under 35 U.S.C. 102(b) as being anticipated by Hotta.

Note Fig. 6 which shows plural differential amplifier cells 6a and 6b with common input and output terminals, and also separately controllable enable/disable inputs applied to the respective amplifier cells (i.e., control inputs CE, /CE and SA1,/SA1).

6. Claims 47-114 are rejected under 35 U.S.C. 102(b) as being anticipated by Andricos.

Note Fig. 2 which shows plural differential amplifier cells (the first cell is formed by the combination of amplifiers A1, A2 and switch S1A, and the second cell is formed by the combination of amplifiers A3, A4 and switch S1B) with common input and output terminals, and also separately controllable enable/disable inputs applied to the respective amplifier cells

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(i.e., the outputs from circuit 23).

7. Claims 47-114 are rejected under 35 U.S.C. 102(e) as being anticipated by Kornfeld et al.

Note Fig. 5B which shows plural differential amplifier cells (the first cell is formed by the combination of amplifier A1 and FET 74, and the second cell is formed by the combination of amplifier A2 and FET 76) with common input and output terminals, and also separately controllable enable/disable inputs applied to the respective amplifier cells (i.e., the outputs from the switch logic circuit).

8. Claims 47-114 are rejected on the ground of nonstatutory double patenting over claims 7-27 of U. S. Patent No. RE 38,455 and also claims 15-46 of U. S. Patent No. RE 37,739, since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter. Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application

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which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Note the remaining references cited on the attached PTO-892 form, each of which is also seen to anticipate at least the independent claims.

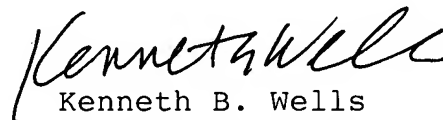
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (571)272-1757. The examiner can normally be reached on Monday through Friday from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at (571)272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kenneth B. Wells
Primary Examiner
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February 20, 2007